REMARKS

Applicants have now had an opportunity to carefully consider the comments set forth in the Office Action of June 2, 2006.

Reconsideration of the Application is requested.

The Office Action

Claims 1-9 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,901,376 issued to Sculler et al.

Amendments to the Specification

Paragraph [0023] of the Specification has been amended herein to correct an inadvertent oversight. No new matter has been added thereby.

The Art Rejections

Independent Claim 1 not Anticipated by Sculler

With reference to independent claim 1 of the present application, the Office Action asserts that Sculler discloses all of the limitations recited in the claim, citing col. 1, lines 1-14, col. 2, lines 1-14, and cols. 5-9 for each of the recited limitations. Applicants respectfully traverse the rejection of independent claim 1.

Although Sculler deals with providing information between buyers and sellers or suppliers, it otherwise fundamentally differs conceptually with regard to objectives, embodiments and implementations set forth in the limitations recited into claims 1-9. For example, Sculler describes a method of retrieving product distribution information comprising: (a) storing a plurality of agreements in computer-accessible memory where each agreement identifies a buyer, a seller and a product to be provided from the seller to the buyer. This concept indicates that Sculler is directed toward exchanging information between buyers and sellers having already made agreements regarding the purchase of a product. In fact, the Abstract recites a computer-implemented method and system "which retrieves interrelated agreements between the buyers and sellers of products and/or services."

On the other hand, an object of claims of the present application are directed to

providing a systems integration solution providing a complete set of tools allowing companies to directly communicate documents via an internet connection which <u>expedites the generation of Requests For Quotes (RFQ) and replies to the RFQ's in order to optimize the bidding and supply process.</u>

While the present application describes a method and system for generating and distributing RFQs in a bidding process, Sculler does not address either the subject of bidding or the subject of requesting a price quote. For example, Sculler acknowledges that it is not always possible to know, in advance, the value of every field before a product is ordered (col. 6, lines 35-36). However, rather than describing a bidding process in such instances, Sculler provides a means for a seller to provide multiple prices for a product based on who the purchaser is and/or where the product will be shipped (col. 6. lines 36-51). In other words, the reseller database 100 shown in Figures 1 and 2 provides storage for a standard set of retail prices within the database (col. 6, lines 52-54), unlike the present application which describes a method and system for generating RFQs as recited in the subject claims. In such instances where even a fixed set of prices is unknown, Sculler leaves it up to the buyer rather than the seller to provide the price (col. 6, lines 50-51). In some embodiments, formulas may be provided for computing the prices (col. 9, lines 46-50). In cases where a price needs to be negotiated, resellers can negotiate independently to determine their prices (col. 9, lines 63-67) which, however, is outside the system and is dissimilar from the RFQ and bidding process of the present application.

Also, unlike the system described by Sculler which is directed toward retrieving interrelated agreements made in advance, claim 1 of the present application, includes a number of limitations relating to RFQs. For example, the first-recited limitation is for "generating by a buyer a request for a quotation from at least some of the plurality of suppliers for a cost of a part or device." Some of the remaining limitations recite "determining which of the plurality of suppliers are to be provided with the request for quotation and attachments", "selecting the suppliers that are to receive the request for quotation pack", "making the request for quotation pack available to selected suppliers on a supplier on-line system web site", and "e-mailing all suppliers that the request for quotation pack is available at the web site." These features are neither described nor suggested by Sculler.

With reference now to dependent claim 2, additional limitations relating to the RFQs

are recited. The recited limitations relate to reviewing of the RFQs by the sellers, responding by generating a quotation, and submitting the quotation to a supplier on-line web site. While none of the aforementioned limitations are taught by Sculler, a further-distinguishing limitation not taught or suggested by Sculler is a provision for "e-mailing automatically by the supplier on-line system, the buyer that the supplier has entered a quotation."

With reference now to dependent claims 3 and 4, still further limitations relating to the RFQs are recited. Claim 3 recites analyzing the RFQ to determine a last day available for the supplier to respond, determining if the day the quotation is provided by the supplier is prior to the last day to respond to the RFQ pack, and providing the buyer with the capability to review quotations for request for quotation pack received prior to the last day to respond. Claim 4 adds limitations for the following features: determining whether a need exists to alter the last day for responding to an RFQ, altering the last day suppliers may respond to an RFQ, and transmitting, automatically, e-mail notifications to the suppliers that the last day to respond to the RFQ has been altered. The above-described features are neither taught nor suggested by Sculler.

With reference to dependent claim 5, an additional limitation is recited for "synchronizing the data in the request for quotation with internal and external databases in order to transfer the files to a designated web site." Applicants respectfully submit that the Office Action does not show where Sculler teaches or suggests this recited feature.

It is respectfully submitted, therefore, that the Sculler patent does not teach, support, or fairly disclose each and every element of independent claim 1, as amended. For at least the above-stated reasons, it is respectfully submitted that independent claim 1 and claims 2-9 depending therefrom, are patentably distinct and unobvious over the art of record and are in condition for allowance.

Prior Art Made of Record and not Relied Upon

Other references considered pertinent to the applicant's disclosure and made of record, but not relied upon by the Examiner, have been reviewed by the applicant. The applicant submits that these references alone or in combination do not teach the present invention.
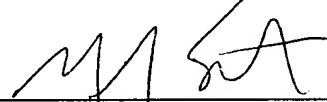
CONCLUSION

For the reasons detailed above, it is submitted all claims remaining in the application (Claims 1-9) are now in condition for allowance. The foregoing comments do not require unnecessary additional search or examination.

In the event the Examiner considers personal contact advantageous to the disposition of this case, he/she is hereby authorized to call Mark Svat, at Telephone Number (216) 861-5582.
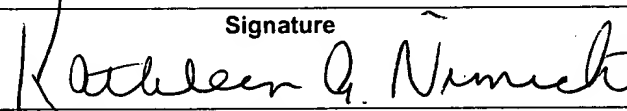
Respectfully submitted,

FAY, SHARPE, FAGAN,
MINNICH & McKEE, LLP

Aug 31st 2006
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Date

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